

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

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)	
Eugene P. Harrison, <i>aka</i> Eugene Paul Harrison,)	
Evangelist,)	
)	
Plaintiff,)	Civil Action No.: 2:07-2735-CWH
)	
vs.)	
)	
Assistant Manager John NLN; and)	
Co Manager Chris NLN,)	ORDER
)	
Defendants.)	
)	

On August 8, 2007, the plaintiff, proceeding *pro se*, commenced this action, pursuant to 42 U.S.C. § 1983, against Wal-Mart Super Center Assistant Manager John NLN and Wal-Mart Super Center Co-Manager Chris NLN and a motion to proceed *in forma pauperis* under 28 U.S.C. § 1915. The complaint alleges that the defendants discriminated against him for racial and religious reasons. On August 21, 2007, Magistrate Judge George C. Kosko (“Magistrate Judge Kosko”) authorized the plaintiff to proceed *in forma pauperis*.

On August 21, 2007, Magistrate Judge Kosko issued a report analyzing the issues and recommending that the case be dismissed without prejudice and without issuance of service of process for lack of subject matter jurisdiction and for failure to state a claim upon which relief may be granted. The plaintiff has failed to make a timely objection to the report and recommendation. 28 U.S.C. § 636(b)(1).

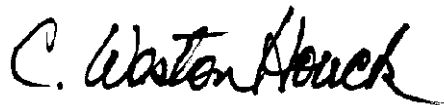
This Court is charged with making a *de novo* determination of any portions of the magistrate judge’s recommendation to which specific objection is made. 28 U.S.C. § 636(b).

The Court may accept, reject, or modify, in whole or in part, the report and recommendation, or recommit the matter with instructions. 28 U.S.C. §636(b)(1). No objections have been filed to the report and recommendation. In the absence of objections to the report and recommendation, a district court judge need not conduct a *de novo* review, but instead must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”

Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310 (4th Cir. 2005).

A review of the record indicates that the report and recommendation accurately summarizes this case and the applicable law. For the reasons articulated by Magistrate Judge Kosko, the Court dismisses the above captioned case without prejudice.

AND IT IS SO ORDERED.

A handwritten signature in black ink, reading "C. Weston Houck". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

**C. WESTON HOUCK
UNITED STATES DISTRICT JUDGE**

November 30, 2007
Charleston, South Carolina